

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

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|-----------------------------|---|--------------------------|
| JORDAN MILES, |) | |
| |) | |
| Plaintiff, |) | CIVIL ACTION NO. 10-1135 |
| |) | |
| v. |) | JUDGE LANCASTER |
| |) | |
| CITY OF PITTSBURGH, ET AL., |) | (Electronically Filed) |
| |) | |
| Defendants. |) | |

PRIVACY ACT PROTECTIVE ORDER

AND NOW, to wit, this 26 day of August, 2011, upon consideration of Defendant's Consent Motion for Protective Order and upon consideration of the grounds stated therefore, it is hereby **ORDERED** that Defendant's Motion is **GRANTED**.

Accordingly, in order to protect information contained in files of the United States Federal Bureau of Investigation ("FBI") against the disclosure of information as specified by the provisions of the Privacy Act of 1974, 5 U.S.C. § 552a, and to allow the parties to release such documents and information without violating the provisions of the Privacy Act.

IT IS HEREBY ORDERED pursuant to 5 U.S.C. § 552a(b)(11) and Rule 26(c) of the Federal Rules of Civil Procedure that:

1. This Order applies to, governs, and directs the disclosure in the course of this action of the documents and information relevant to the litigation from the FBI files and other records which are either covered by the Privacy Act or which otherwise contain information regarding individuals relevant to this case. However, this Order neither addresses nor overrules any objections to discovery made pursuant to the Federal Rules of Civil Procedure. This Order does not relate or apply to documents or information not

relevant to the litigation. This Order permits the FBI to produce information and records reasonably calculated to provide the parties the discovery they seek without pre-screening each document or piece of information for Privacy Act objections and presenting those objections to this Court for a decision regarding disclosure.

2. The records or the information shall be disclosed only to the attorneys for Defendant and Plaintiff. The attorney(s) shall be allowed to copy any such records but shall not disclose any such records, any information obtained from them, or any other information to any person unless such disclosure is reasonably calculated in good faith to aid in the preparation of prosecution of the instant litigation. The attorney(s) shall ensure that any person to whom disclosure may be made shall be provided with a copy of this Order and any such person shall be bound by the terms of this Order.

3. No person to whom a record covered by this Order is disclosed shall make a copy of the record unless copying is necessary to aid in the preparation and trial of the instant litigation. No individual shall disclose a record covered under this Order, any information contained in or derived from such a record, or any other information except for the purposes of preparing for and prosecuting the instant litigation.

4. This Order pertains to any document(s) produced at any time during the litigation of this matter.

5. Upon conclusion of this action (including appeals), all copies of records (except copies of documents accepted into evidence) made pursuant to and protected by the terms of this Order shall be destroyed by the respective attorneys. Nothing in this Order constitutes any decision by the Court concerning discovery disputes, the admission into evidence of any specific document or piece of information, or liability for payment of

any costs of production or reproduction; nor does the Order constitute a waiver by the FBI of its right to object to the discovery of or admission into evidence of any record or information subject to this Order.

IT IS SO ORDERED.


CHIEF JUDGE GARY LANCASTER

cc: All counsel of record